

In the Claims:

The following claims 1-4, 7 and 8 are currently pending claims based on the amendment herein:

3¹ Claim 1. (Currently Amended) A semiconductor device comprising:

- a substrate;
- at least one fuse embedded within an interior portion of the substrate;
- a continuous etch resistant layer on a an exterior surface of the substrate, wherein the etch resistant layer is directly over an entire surface the at least one fuse; and
- at least one insulative layer directly above the etch resistant layer, wherein the etch resistant layer has a slower etch rate than that of the at least one insulative layer thereabove.

Claim 2. (Original) The semiconductor device of claim 1, further comprising an alignment mark formed on the substrate at a location spatially removed from the fuse.

Claim 3. (Original) The semiconductor device of claim 2, wherein the alignment mark further comprises the etch resistant layer thereover.

Claim 4. (Original) The semiconductor device of claim 2, wherein the fuse and the alignment mark are formed within a metal wiring layer of the device.

Claims 5 and 6 (Canceled)

Claim 7. (Original) The semiconductor device of claim 1, wherein the etch resistant layer comprises silicon nitride.

Claim 8. (Original) The semiconductor device of claim 1, wherein the etch resistant layer has a thickness of approximately 10-100 nm.